

**SUPREME COURT MINUTES
WEDNESDAY, MARCH 13, 2013
SAN FRANCISCO, CALIFORNIA**

S207634 D059007 Fourth Appellate District, Div. 1 **PEOPLE v. LOWE (JUSTIN SAMUEL)**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending the decision of the United States Supreme Court in *Maryland v. King*, No. 12-207, cert. granted Nov. 9, 2012, ___ U.S. ___ [133 S.Ct. 594, 184 L.Ed.2d 390] and of this court in *People v. Buza*, S196200 (see Cal. Rules of Court, rule 8.512 (d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S208475 B239629 Second Appellate District, Div. 1 **IN RE DAVID R.**

Petition for review granted; briefing deferred

The petition for review is granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re I.J.*, S204622 (see Cal. Rules of Court, rule 8.512 (d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S199389 **FRISON (DONALD LEON)
ON H.C.**

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause returnable before the San Bernardino County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to relief, as conceded by the Attorney General, based on his allegation that his sentence of 80 years to life imposed for nonhomicide crimes committed when he was a juvenile violates the Eighth Amendment's prohibition on cruel and unusual punishment because it offers no meaningful opportunity of release on parole. (See *People v. Caballero* (2012) 55 Cal.4th 262, 269.) The return is to be filed on or before April 12, 2013.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S207738 E054731 Fourth Appellate District, Div. 2 **PEOPLE v. MARTINEZ
(SAMSON)**

Petition for review granted; transferred to Court of Appeal, Fourth Appellate District, Division Two

The petition for review is granted. The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the cause in light of *People v. Rodriguez* (2012) 55 Cal.4th 1125. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S152156 **PEOPLE v. KARIS, JR.,
(JAMES LESLIE)**

Appeal abated

The “Motion to Abate Proceedings,” filed by appellant’s counsel on February 26, 2013, is granted. As indicated in a certified copy of a certificate of death, appellant James Leslie Karis died on January 31, 2013. All proceedings in *People v. James Leslie Karis*, case no. S152156, are permanently abated, and the Superior Court of California, County of Sacramento is directed to enter an order to that effect in case no. CR62584. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.)

S189414 G042390 Fourth Appellate District, Div. 3 **PEOPLE v. CABRERA
(HENRY)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and reconsider the cause in light of *People v. Rodriguez* (2012) 55 Cal.4th 1125. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S195512 D057527 Fourth Appellate District, Div. 1 **PEOPLE v. JAMES (KENT)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division One

In light of the decision in *People v. Lara*, (2012) 54 Cal.4th 896, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528((b)(1)).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S195672 A130098 First Appellate District, Div. 1 **PEOPLE v. VORAVONGSA
(BRIAN K.)**

Dismissed and remanded to Court of Appeal, First Appellate District, Division One

In light of the decision in *People v. Lara*, (2012) 54 Cal.4th 896, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 8.528((b)(1)).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S197036 G043384 Fourth Appellate District, Div. 3**PEOPLE v. GONZALES
(MICHAEL CONTRERAS)**

Transferred to Court of Appeal, Fourth Appellate District, Division Three, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District,
Division Three, with directions to vacate its decision and reconsider the cause in light of *People v.
Rodriguez* (2012) 55 Cal.4th 1125. (Cal. Rules of Court, rule 8.528(d).)
Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S208553 F062512 Fifth Appellate District**PEOPLE v. RAMIREZ
(JESUS)**

Petition stricken (case closed)
Having received notification that the Court of Appeal, issued an order granting the petition for
rehearing, the petition for review filed March 5, 2013, by appellant Zane Molina Hubbard is
hereby ordered stricken.

S207244 B236417 Second Appellate District, Div. 3**PEOPLE v. PEREZ
(CEBERINO MARQUEZ)**

Petition for review denied

S207345 B237007 Second Appellate District, Div. 2
Petitions for review denied**PEOPLE v. ROSS (DEMARK)****S207377** C069759 Third Appellate District**PEOPLE v. GONZALEZ
(JUAN)**

Petition for review denied

S207392 C064156 Third Appellate District**PEOPLE v. SHERMAN
(DONALD HUGH)**

Petitions for review denied

S207451 A134370 First Appellate District, Div. 5**CALIFORNIA HEALTHY
COMMUNITIES NETWORK
v. CITY OF ANTIOCH
(WAL-MART STORES, INC.)**

Petition for review & publication request(s) denied

S207477 D059519 Fourth Appellate District, Div. 1 **PEOPLE v. REED (THOMAS DESHAWN)**

Petition for review denied

S207494 C069557 Third Appellate District **NEWDOW (EMILY) v. BROWN, JR., (EDMUND G.)**

Petition for review & publication request(s) denied
The request for an order directing partial publication of the opinion is denied.

S207506 F062602 Fifth Appellate District **MERCED ALLIANCE FOR RESPONSIBLE GROWTH v. CITY OF MERCED (WAL-MART STORES EAST LP)**

Petition for review & publication request(s) denied

S207518 B240886 Second Appellate District, Div. 6 **KINMAN (BARRY ALLAN) v. LLOYD (EARLE)**

Petition for review & publication request(s) denied

S207576 B235693 Second Appellate District, Div. 1 **PEOPLE v. RODRIGUEZ (ALFRED)**

Petitions for review denied

S207614 G046114 Fourth Appellate District, Div. 3 **PEOPLE v. RODRIGUEZ (ANTONIO)**

Petition for review denied

S207635 C065136 Third Appellate District **PEOPLE v. WHITE (JOSEPH EDWARD)**

Petition for review denied

S207648 B233309 Second Appellate District, Div. 1 **PEOPLE v. PRIETO (JOSE ALFREDO)**

Petitions for review denied

S207658 B228209/B229841 Second Appellate District, Div. 1 **PEOPLE v. McCLOUD (IZAC)**
Petitions for review denied

S207660 H035635 Sixth Appellate District **PEOPLE v. HOGUE, JR.,
(JIMMY LYNN)**
The petition for review is denied without prejudice to any relief to which defendant might be
entitled after this court decides *People v. McCullough*, S192513.

S207665 B237423 Second Appellate District, Div. 5 **IN RE SPENCER S.**
Petition for review denied

S207673 B236738 Second Appellate District, Div. 6 **PEOPLE v. NOCELOTL
(ARMANDO XIQUE)**
Petition for review denied

S207682 D060268 Fourth Appellate District, Div. 1 **SUNDBY (DALE H.) v. BANK
OF NEW YORK MELLON**
Petition for review denied
Baxter, J., was recused and did not participate.

S207685 E053057 Fourth Appellate District, Div. 2 **PEOPLE v. BUTLER, JR.,
(BERNELL FLORENZ)**
Petition for review denied

S207689 D060959 Fourth Appellate District, Div. 1 **PEOPLE v. LINKOGLE (LEO
LEROY)**
Petition for review denied

S207696 D060113 Fourth Appellate District, Div. 1 **PEOPLE v. MARKHAM
(TERRELL LEWIS)**
Petition for review denied

S207699 B206761/B225934 Second Appellate District, Div. 3 **VAN TAYLOR (THRIS) v.
IVIE (RICKEY)**
Petition for review denied

S207700 E053941 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. PALMERO
(MIGUEL)**

S207701 A128544 First Appellate District, Div. 2

Petition for review denied

**FILBIN (JAMES) v.
FITZGERALD (HERMAN H.)**

S207703 A134520 First Appellate District, Div. 3

Petition for review denied

**CARRILLO (RAMIRO) v.
FANTE LLC**

S207704 A137310 First Appellate District, Div. 1

Petition for review denied

**STEWART (JOHN H.) v. S.C.
(PARRIS)**

S207720 B238392 Second Appellate District, Div. 5

Petition for review denied

**NICHOLSON (DAVID) v.
MOHAMED (EHAB A.)**

S207762 H036144 Sixth Appellate District

Petition for review denied

**PEOPLE v. MEJIA (JOSE
GARCIA)**

S207780 A130327 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MORAN
(MICHAEL ANTHONY)**

S207782 G046437 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HERNANDEZ
(JULIO CESAR)**

S207796 B236985 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. SENCION, JR.,
(SANTIAGO GERARDO)**

S207804 F062643 Fifth Appellate District

Petition for review denied

**PEOPLE v. VARGAS, JR.,
(JESSE JOHN)**

S207809 B235379 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. PERALES
(HECTOR ABEL)**

S207813 E057641 Fourth Appellate District, Div. 2

Petition for review & application for stay denied

The application of the City of Chino to seal the petition for review is denied.

**CHINO, CITY OF v. S.C.
(HERNANDEZ)**

S207838 F062554 Fifth Appellate District

Petition for review denied

**PEOPLE v.
DYDOUANGPHAN
(PHAYVANH)**

S207839 H038453 Sixth Appellate District

Petition for review denied

**MOSBRUCKER (LAURA
LOUISE) ON H.C.**

S207841 H037710 Sixth Appellate District

Petition for review denied

**PEOPLE v. MOSBRUCKER
(LAURA LOUISE)**

S207844 E054342 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MACKEY
(TOMMY)**

S207866 G041831 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SAUCEDA-
CONTRERAS (JOSE)**

S207871 D059670 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BERRY-
VIERWINDEN (RYAN)**

S207879 A128777 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. MARTINEZ
(LUIS)**

S207881 D059303 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. SMITH (LARRY)

S207889 H036573 Sixth Appellate District

Petition for review denied

**PEOPLE v. ZEIGLER
(MITCHELL LEWIS)**

S207891 H036373 Sixth Appellate District

Petition for review denied

**PEOPLE v. SERRANO
(AMADOR)**

S207893 F061771 Fifth Appellate District

Petition for review denied

**PEOPLE v. MORALES
(ULISES BALMACEDA)**

S207900 B236912 Second Appellate District, Div. 3

Petition for review denied

**SINO CENTURY
DEVELOPMENT LIMITED v.
FARLEY (DAVID L.)**

S207901 E053801 Fourth Appellate District, Div. 2

Petition for review denied

**PETERS (DAVID W.) v.
PERRIS UNION HIGH
SCHOOL DISTRICT**

S207910 A131031 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. DOUPREA
(SHEYNA)**

S207917 H037365 Sixth Appellate District

Petition for review denied

**PEOPLE v. HARROUN
(DENNIS LAMAR)**

S207924 B230421 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CLUTCHETTE
(KOJO DAMANI)**

S207929 B233985 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GILBERT
(PIERRE ARMOND)**

S207933 B233702 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. COLON (LUIS)

S207948 H037822 Sixth Appellate District

Petition for review denied

**PEOPLE v. ALVAREZ (JOSE
REFUGIO)**

S207965 B241034 Second Appellate District, Div. 6

Petition for review denied

PEOPLE v. DORN (VINCENT)

S207974 B240470 Second Appellate District, Div. 3

Petition for review denied

**RITTER (KATHY J.) v. TIME
WARNER NY CABLE LLC**

S207977 E053644 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. WAJEEL (ISSA)

S207978 B240470 Second Appellate District, Div. 3
Petition for review denied

**RITTER (KATHY J.) v.
FORGASH (AARON J.)**

S207993 B227124 Second Appellate District, Div. 3
Petitions for review denied

PEOPLE v. PENA (MICHAEL)

S207994 C072649 Third Appellate District
Petition for review denied

**OLSON (KIMBERLY R.) v.
S.C. (PEOPLE)**

S208014 A133762 First Appellate District, Div. 5
Petition for review denied

IN RE A.V.

S208019 A131036 First Appellate District, Div. 5
Petition for review denied

**PEOPLE v. ALVAREZ
(EDUARDO LUIS)**

S208022 A136308 First Appellate District, Div. 5
Petition for review denied

**ALVAREZ (EDUARDO LUIS)
ON H.C.**

S208029 H038998 Sixth Appellate District
Petition for review denied

**CHARLES (CHRISTIAN F.)
ON H.C.**

S208035 D059760 Fourth Appellate District, Div. 1
Petition for review denied

**PEOPLE v. FALETOGO
(ARAGON)**

S208057 B235467 Second Appellate District, Div. 8
Petition for review denied

**ESTATE OF EBONY H. v.
THIESMEYER (CLARA DEE)**

S208100 B232311 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. CRANE (TOMMY
GLENN)**

S208104 E053638 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. MARTIN (TERRY
CURTIS)**

S208109 B244054 Second Appellate District, Div. 8

Petition for review denied

**MORENO (ANGELA) v.
WORKERS'
COMPENSATION APPEALS
BOARD & CITY OF
GLENDALE**

S208111 A137401 First Appellate District, Div. 3
Petition for review denied

**CAMPBELL (MARLON) ON
H.C.**

S208143 B245349 Second Appellate District, Div. 5

Petition for review denied

**PRIME HEALTHCARE
CENTINELA LLC v. S.C.
(FENISON)**

S208151 A128800 First Appellate District, Div. 3
Petition for review denied

**SILVEIRA (JOSEPH F.),
ESTATE OF**

S208172 C069935 Third Appellate District
Petition for review denied

**PEOPLE v. SALTER, JR.,
(DONALD)**

S208182 A123119 First Appellate District, Div. 3
Petition for review denied

**PEOPLE v. McKNIGHT
(TIMOTHY)**

S208185 H036065/H036308 Sixth Appellate District

Petition for review denied

**OIYE (LAUREN) v. FOX
(JAMES DANIEL)**

S208193 A131471 First Appellate District, Div. 4

Petition for review denied

**OLOFSSON (LARS) v.
MISSION LINEN SUPPLY**

S208195 B223100/B234665 Second Appellate District, Div. 2 **SIRY INVESTMENT LP v.**

Petition for review denied

**FARKHONDEHPOUR
(SAEED)**

S208198 E056331 Fourth Appellate District, Div. 2

Petition for review denied

**WHITSON (IAN JUSTIN) v.
S.C.**

S208200 B235831 Second Appellate District, Div. 2

Petition for review denied
Chin, J., was recused and did not participate.

**DARK HALL PRODUCTIONS
LLC v. BANK OF AMERICA,
N.A.**

S208245 H038802 Sixth Appellate District

Petition for review denied

FICKES (DAVID) ON H.C.

S208257 C071706 Third Appellate District

Petition for review denied

IN RE D.S.

S208258 B237736 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. HICKS
(ANTHONY)**

S208259 B246011 Second Appellate District, Div. 1

Petition for review denied
The request for judicial notice is denied.

**HOLLOWAY (PURVIS) ON
H.C.**

S208261 A135215 First Appellate District, Div. 1
Petition for review denied

IN RE A.S.

S208262 C069587 Third Appellate District

Petition for review denied

**PEOPLE v. HALL (JASON
EDGAR)**

S208265 D061278 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BANAWA
(CHRISTOPHER)**

S208267 C070364 Third Appellate District
Petition for review denied

IN RE J.H.

S208268 E057808 Fourth Appellate District, Div. 2

Petition for review denied

**HOLT (EDWIN JOSH) v. S.C.
(PEOPLE)**

S208269 C070105 Third Appellate District

Petition for review denied

**PEOPLE v. HOSMER
(JEREMY LEE)**

S208270 F063886 Fifth Appellate District

Petition for review denied

**PEOPLE v. IGNACIO
(GELADIN FRONDA)**

S208281 H039040 Sixth Appellate District
Petition for review denied

ROGERS (LISA) v. S.C.

S208288 E057775 Fourth Appellate District, Div. 2
Petition for review denied

TYLER (ELONZA J.) ON H.C.

S208296 B235290 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. GARCIA
(ANTONIO BAUTISTA)**

S208310 A132220 First Appellate District, Div. 1
Petition for review denied

**PIECHUTA (ROBERT) v.
HERNANDEZ (LELIA)**

S208315 A134103 First Appellate District, Div. 1
Petition for review denied

**PEOPLE v. BROOKS
(DAVONTE)**

S208320 E053834 Fourth Appellate District, Div. 2
Petition for review denied

PEOPLE v. SAPP (IVAN)

S208322 B243575/B244306 Second Appellate District, Div. 4
Petition for review denied

**MEMORIAL HOSPITAL OF
GARDENA v. S.C. (RUIZ)**

S208327 D059666 Fourth Appellate District, Div. 1

**PEOPLE v. CALDERON
(ROBERTO MIRANDA)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. McCullough*, S192513.

S208328 B236107 Second Appellate District, Div. 5

**N.K. BEVERLY HILLS
CORPORATION v.
JPMORGAN CHASE BANK**

Petition for review denied
Kennard, J., was recused and did not participate.

S208335 C072830 Third Appellate District
Petition for review denied

AKHTAR (JAVIAD) ON H.C.

S208341 G045422 Fourth Appellate District, Div. 3
Petition for review denied

PEOPLE v. SEN (ANIN)

S208342 A133919 First Appellate District, Div. 3
Petition for review denied

PEOPLE v. SAECHAO (SY)

S208347 G045111 Fourth Appellate District, Div. 3
Petitions for review denied

**PEOPLE v. CHINCHILLA
(BYRON CHRISTOPHER)**

S208350 E054683 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. TONGA (LASALO
LINDON)**

S208355 B238895 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. SHABAZZ
(LENNAL KHABIR)**

S208356 C070906 Third Appellate District
Petition for review denied

IN RE P.M.

S208361 B239107 Second Appellate District, Div. 2
Petitions for review denied

**PEOPLE v. GARRETT
(CRAIG KAISER)**

S208365 H036950 Sixth Appellate District
Petition for review denied

**STRATTON (BEKAH DU
BOIS) v. STRATTON (GARY
BERTIS)**

S208366
Petition for review denied

**SAN MATEO COUNTY
PUBLIC GUARDIAN v.
REMMERT (SHIRLEY V.)**

S208370 B232177 Second Appellate District, Div. 3

Petition for review denied

**CUSSLER (CLIVE) v.
CRUSADER
ENTERTAINMENT LLC**

S208371 A133231 First Appellate District, Div. 1

Petition for review denied
The request for judicial notice is granted.

**FLAGG-MALEK (MARCIA)
& MALEK (NADER),
MARRIAGE OF**

S208372 H037808 Sixth Appellate District

Petition for review denied

**PEOPLE v. WRIGHT (DAREN
LEWIS)**

S208373 B234852 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. RODEZNO
(BRYANT)**

S208381 C069473 Third Appellate District

Petition for review denied

**PEOPLE v. TEHADA, SR.,
(CARL RANDOLPH)**

S208393 B234701 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BROWN
(LAVONTAHE D.)**

S208396 D060550 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. REINHOLTZ
(LEROY)**

S208402

Petition for writ of mandate/prohibition denied

**WHITSON (IAN J.) v. COURT
OF APPEAL, FOURTH
APPELLATE DISTRICT,
DIVISION TWO (PEOPLE)**

S208403 D060753 Fourth Appellate District, Div. 1
Petition for review denied

IN RE ABRAHAM R.

S208421 G046201 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. PEREZ, JR.,
(MARTIN)**

S208435 A137432 First Appellate District, Div. 1

Petition for review denied

**SINGH (HARJINDER) v.
WORKERS'
COMPENSATION APPEALS
BOARD & NEW LEGEND,
INC.**

S208442 C068885 Third Appellate District
Petition for review denied

**PEOPLE v. JOHNSON
(BRYAN CORDELL)**

S208443 B236430 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. ALVAREZ (JOSE
TRINIDAD)**

S208445 G046336 Fourth Appellate District, Div. 3
Petition for review denied
Chin, J., was recused and did not participate.

**ROSEN (GLENN M.) v. BANK
OF AMERICA, N.A.**

S208449 A132185 First Appellate District, Div. 5
Petition for review denied

**PEOPLE v. RANDEL (ALAN
SCOTT)**

S208450 E054086 Fourth Appellate District, Div. 2
Petition for review denied

IN RE J.R.

S208462 G045980 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. CAO (PHONG THANH)

S208470 B232701 Second Appellate District, Div. 7

Petition for review denied

NEW LIFE IN CHRIST FULL GOSPEL CHURCH CORPORATION v. LOS ANGELES REGIONAL FOOD BANK

S208476 B245857 Second Appellate District, Div. 4

Petition for review & application for stay denied

CARDILLO (SEAN) v. S.C. (PEOPLE)

S208478 E054763 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. TAPIA (IVAN)

S208481 D059603 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. BURKE (PATRICK)

S208487 D059920 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. KASHANI (MIRMASSOUD)

S208495 B232640 Second Appellate District, Div. 1

Petition for review denied

PEOPLE v. YBARRA (ERIK)

S208532 G045545 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. JUAREZ (LUIS SALAZAR)

S208533 G045862 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. WHITLOCK
(JAIME LYNN)**

S208536 G047924 Fourth Appellate District, Div. 3

Petition for review denied

**KENT (WILLIAM A.) v. S.C.
(PEOPLE)**

S208537 C072946 Third Appellate District

Petition for review denied

OTT (DENNIS) ON H.C.

S208543 B237229 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. FELIX (JOSE
RICARDO)**

S208557 B245865 Second Appellate District, Div. 4

Petition for review & application for stay denied

**CETTEI (ANDREW) v. S.C.
(PEOPLE)**

S208832 F066601 Fifth Appellate District

Petition for review & application for stay denied

**ALLEN (CURT) v. S.C.
(PEOPLE)**

S208977 A136091 First Appellate District, Div. 1

Petition for review & application for stay denied

**DALEY (GERTRUDE C.),
ESTATE OF**

S208993 A137319 First Appellate District, Div. 3

Petition for review & application for stay denied

**ASSENZIO (THOMAS) v. S.C.
(BAILLIE)**

S203614

Petition for writ of habeas corpus denied

FERNANDEZ (JUAN) ON H.C.

S204274**COTTON (JOHNNY) ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to the filing of an original petition in the superior court for any relief to which petitioner might be entitled following our resolution of *People v. Gutierrez*, S206365, and *People v. Moffett*, S206771.

S204879**L. (J.) ON H.C.**

Petition for writ of habeas corpus denied
Kennard, J., is of the opinion an order to show cause should be issued.

S205449**YE (LINNA) ON H.C.**

Petition for writ of habeas corpus denied

S205700**DYLESKI (SCOTT) ON H.C.**

The petition for writ of habeas corpus is denied without prejudice to the filing of an original petition in the superior court for any relief to which petitioner might be entitled following our resolution of *People v. Gutierrez*, S206365, and *People v. Moffett*, S206771.

S205981**SULLIVAN (MANSE) ON H.C.**

Petition for writ of habeas corpus denied

S206015**BANCHICH (PAUL) ON H.C.**

Petition for writ of habeas corpus denied

S206595**LAW (RONNIE) ON H.C.**

Petition for writ of habeas corpus denied

S206603**SILVA (RAY) ON H.C.**

Petition for writ of habeas corpus denied

S206613**VASQUEZ (DANIEL
SALINAS) ON H.C**

Petition for writ of habeas corpus denied

S206615**FRANKLIN (JAMES LINZY)
ON H.C.**

Petition for writ of habeas corpus denied

S206620**BURGHARDT (DARRYL) ON
H.C.**

Petition for writ of habeas corpus denied

S206621**CASTILLO (FRANCISCO
MENDOZA) ON H.C.**

Petition for writ of habeas corpus denied

S206923**LORENZO (JAIME) ON H.C.**

Petition for writ of habeas corpus denied

S206926**BROOKS (JONQUEL
RANDELL) ON H.C.**

Petition for writ of habeas corpus denied

S207057**SMITH (JAMES ROGERS)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**S207064****RIOS (KEITH R.) ON H.C.**

Petition for writ of habeas corpus denied

S207114**REYES (MIGUEL) ON H.C.**

Petition for writ of habeas corpus denied

S207206**HERNANDEZ (ALFREDO)
ON H.C.**

Petition for writ of habeas corpus denied

S207217**NATHAN (ERIC L.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207222**WATSON (KHARY
BECHINE) ON H.C.**

Petition for writ of habeas corpus denied

S207245**HARRIS (MARK ANTHONY)
ON H.C.**

Petition for writ of habeas corpus denied

S207394**KAPAHUA (JOSEPH C.) ON
H.C.**

Petition for writ of habeas corpus denied

S207504**WOODS (GREGORY J.) ON
H.C.**

Petition for writ of habeas corpus denied

S207507**DOUGLAS (GORDON
ANDREW) ON H.C.**

Petition for writ of habeas corpus denied

S207526**MORALES (JOSE JUAN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S207572**FRANKLIN (GENE
ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S207590**GAMEZ (SERGIO
ALEJANDRO) ON H.C.**

Petition for writ of habeas corpus denied

S207601**COCHRAN (MAC DAVID) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**S207604****AGRIO (PABLO) ON H.C.**

Petition for writ of habeas corpus denied

S207624**LANDERS (TREVOR GLENN)
ON H.C.**

Petition for writ of habeas corpus denied

S207636**MAGANA-TORRES (JOSE
HUMBERTO) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S207637****RAY (JAMES PATRICK) ON
H.C.**

Petition for writ of habeas corpus denied

S207659**WARZEK (MICHAEL) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S207678****JONES (EDWARD E.) ON
H.C.**

Petition for writ of habeas corpus denied

S207694**HERNANDEZ (LAURA) ON
H.C.**

Petition for writ of habeas corpus denied

S207705**NORMAN (DANIEL
MONROE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207724**JOHNSON (ZAVION) ON H.C.**

Petition for writ of habeas corpus denied

S207734**JIMENEZ (ELVIS) ON H.C.**

Petition for writ of habeas corpus denied

S207746**MUHAMMAD (SHAKA
SENEGAL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207750**VALADEZ (HECTOR
MANUEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207751**NORTON (WILLIE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207752**CORTEZ (JOE EZEQUIEL)
ON H.C.**

Petition for writ of habeas corpus denied

S207754**SAFFOLD (TONY EUGENE)
ON H.C.**

Petition for writ of habeas corpus denied

S207764**JONES (RODNEY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207766**JACKSON, JR., (JAMES MORRIS) ON H.C.**

The petition for writ of habeas corpus filed by petitioner on January 2, 2013, is deemed an accusation against an attorney and is denied.

S207770**WORMLEY (TY'RIN J.) ON H.C.**

Petition for writ of habeas corpus denied

S207774**ROJAS (PAUL DOUGLAS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207775**HUNTER (JOHN D.) ON H.C.**

Petition for writ of habeas corpus denied

S207781**JOHNSON (OSHAY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207783**O'CONNOR (GLENN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207784**O'CONNOR (GLENN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S207786**KIM (DAVE DAE HONG) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207787**STEWART (DENNIS L.) ON
H.C.**

Petition for writ of habeas corpus denied

S207803**MARTINEZ (ESTEBAN) ON
H.C.**

Petition for writ of habeas corpus denied

S207805**YANEZ (ERNEST) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207810**HERRERA (ARMANDO) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207817**BARTHOLOMEW (KEVIN)
ON H.C.**

Petition for writ of habeas corpus denied

S207821**PARNELL (J. P.) ON H.C.**

Petition for writ of habeas corpus denied

S207822**DUVAL (JAMES ELMOND)
ON H.C.**

Petition for writ of habeas corpus denied

S207823**DEAN (ALTON E.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S207834**VALENCIA (ABEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207836**JONES (FORREST LEE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207837**CALDERON (JUAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207840**DAVIS (TERRENCE J.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207843**HEAD (ERICK J.) ON H.C.**

Petition for writ of habeas corpus denied

S207851**WILSON (KELLY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207853**BARCLAY (JEFFREY M.) ON H.C.**

Petition for writ of habeas corpus denied

S207857**KENNY (DAVID MATTHEW) ON H.C.**

Petition for writ of habeas corpus denied

S207859**FRAZIER (VIRGINIA) ON
H.C.**

Petition for writ of habeas corpus denied

S207861**HAMLIN (RICHARD
WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied

S207864**LYMUEL (TYRONE W.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207865**FREEMAN (TREVOR) ON
H.C.**

Petition for writ of habeas corpus denied

S207867**SMITH (REYNALDO) ON
H.C.**

Petition for writ of habeas corpus denied

S207868**LUETH (ERIC PRESTION)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S207869**RIVERA (AUGUSTINE) ON
H.C.**

Petition for writ of habeas corpus denied

S207873**ALDACO (ADAM) ON H.C.**

Petition for writ of habeas corpus denied

S207887**GARCIA (ANDREW) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.)

S207892**BELTRAN (RUBEN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S207894**MAGEE (RUCHELL
CINQUE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207898**BALDWIN (AUBREY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207906**HOLLIS (GARY
VALENTINO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S207999**ESTRADA (MICHAEL A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S208001**WILEY III (TOMMY LEE) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S208002**GANN (NATHANIEL
MARCUS) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S208005**HERNANDEZ (ALEXIZ) ON
H.C.**

Petition for writ of habeas corpus denied

S208007**BLEWETT (JAMES
WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied

S208008**SLATER (DAVID LAMONT)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S208043**ROCHIN (ADRIAN) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208058**FULLER (ERIC D.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S208059**PARELLI (PAUL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S208061**HERRERA (JULIO J.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S208065**HOLLIS (GARY
VALENTINO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208094**WASHINGTON (JAMES RAY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

Corrigan, J., was recused and did not participate.

S208101**ABDULLAH (TYMIR IBN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

S208105**GUTIERREZ (RAMON) ON
H.C.**

Petition for writ of habeas corpus denied

S208115**CORONA-ARELLANO
(REYNALDO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S208125**FKADU (BERIHU HADERA)
ON H.C.**

Petition for writ of habeas corpus denied

S208128**RATLIFF (JEREMY RAY) ON
H.C.**

Petition for writ of habeas corpus denied

S208134**MOORE, JR., (ALFRED R.)
ON H.C.**

Petition for writ of habeas corpus denied

S208171**WILSON (KELLY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208272**MUHAMMAD (SHAKA
SENEGAL) ON H.C.**

Petition for writ of habeas corpus denied

S208463**CLARK (RAYMOND) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S208559**AXTON (MICHAEL S.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S208040**ACCUSATION OF GIORGI**

Order: (dispositive)

The Court directs the State Bar Office of the Chief Trial Counsel to reopen and further investigate complainant John Giorgi's complaint against an attorney (State Bar Inquiry No. 12-O-10161.)

S207210

B235533 Second Appellate District, Div. 7

**NGUYEN (PETER T.) v.
SCOTT (TERRY W.)**

Publication request denied (case closed)

S207425

C068907 Third Appellate District

**CLOVIS UNIFIED SCHOOL
DISTRICT v. CHIANG
(JOHN)**

Publication request denied (case closed)

S207622

A132832 First Appellate District, Div. 3

**NADEEM (SARIA) v. KPMG
LLP**

Publication request denied (case closed)

S207847 B237262 Second Appellate District, Div. 1

Publication request denied (case closed)

**CALIFORNIA
DEPARTMENT OF FAIR
EMPLOYMENT & HOUSING
v. J. GREENBURG, D.D.S.,
INC.**

S207904 B240931 Second Appellate District, Div. 6

Publication request denied (case closed)

IN RE SKYLER T.

S207961 B236988 Second Appellate District, Div. 7

Publication request denied (case closed)

**RETA (DAVID A.) v.
MONTEREY FINANCIAL
SERVICES, INC.**

S207963 A131950/A133233 First Appellate District, Div. 1

Publication request denied (case closed)

**GLESBY BUILDING
MATERIALS COMPANY,
INC. v. 6233 SAN LEANDRO
STREET PARTNERS**

S207964 A136688 First Appellate District, Div. 1

Publication request denied (case closed)

**MORRIS (WARREN) v. S.C.
(PEOPLE)**

S208525 H037330 Sixth Appellate District

Depublication request denied (case closed)

**THORPE (THOMAS) v. REED
(AUDELITH JENIVÉE)**

S208575 D057138 Fourth Appellate District, Div. 1

Depublication request denied (case closed)

**IN RE INSURANCE
INSTALLMENT FEE CASES**

The court declines to review this matter on its own motion. The matter is now final.

S209230 G046166 Fourth Appellate District, Div. 3 **BELL (SHARON) v. FEIBUSH (IGAL J.)**

Time for ordering review extended on the court's own motion
The time for granting review on the court's own motion is hereby extended to May 15, 2013.
(Cal. Rules of Court, rule 8.512(c).)

S152463 **PEOPLE v. HILL (IVAN J.)**

Extension of time granted
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 17, 2013.

S162197 **PEOPLE v. VICTORIANNE (JAVIER WILLIAM)**

Extension of time granted
On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 17, 2013.

S179795 **FARLEY (RICHARD WADE) ON H.C.**

Extension of time granted
Good cause appearing, and based upon Deputy Attorney General Huy T. Luong's representation that he anticipates filing the informal response to the petition for writ of habeas corpus by April 12, 2013, counsel's request for an extension of time in which to file that document is granted to April 12, 2013. After that date, no further extension is contemplated.

S202724 C063913 Third Appellate District **PEOPLE v. CHIU (BOBBY)**

Extension of time granted
On application of respondent and good cause appearing, it is ordered that the time to serve and file the reply brief is extended to March 21, 2013.
No further extensions of time contemplated.

S204543 B235099 Second Appellate District, Div. 6 **PATTERSON (TAYLOR) v. DOMINOS PIZZA LLC**

Extension of time granted
On application of respondents and good cause appearing, it is ordered that the time to serve and file the reply brief is extended to April 24, 2013. No further extensions of time are contemplated.

S205260 E053499 Fourth Appellate District, Div. 2**PEOPLE v. SCHAEFFER
(SUSAN ANN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to March 21, 2013.

S205876 B229656 Second Appellate District, Div. 6**ASSESSOR FOR COUNTY OF
SANTA BARBARA v.
ASSESSMENT APPEALS
BOARD NO. 1 (RANCHO
GOLETA LAKESIDE
MOBILEERS, INC.)**

Application to file over-length brief granted

The application of respondents and real parties in interest to file the joint answer brief on the merits in excess of the 14,000 word limit is hereby granted.

S206006**PARKER (GERALD) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Holly D. Wilkens's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by October 16, 2013, counsel's request for an extension of time in which to file that document is granted to May 14, 2013. After that date, only three further extensions totaling about 150 additional days are contemplated.

S207172 B234234 Second Appellate District, Div. 3**HARTFORD CASUALTY
INSURANCE COMPANY v.
SWIFT DISTRIBUTION, INC.**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 14, 2013.

S207313**VERDUGO (MICHAEL) v.
TARGET CORPORATION**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to April 16, 2013.

S208173 A134542 First Appellate District, Div. 5**BEACON RESIDENTIAL
COMMUNITY
ASSOCIATION v. SKIDMORE
OWINGS & MERRILL LLP**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to April 29, 2013.

S045078**PEOPLE v. CLARK (ROYAL)**

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned inmate Royal Clark, filed March 1, 2013, is granted.

The order appointing the Habeas Corpus Resource Center as habeas corpus/executive clemency counsel of record for condemned inmate Royal Clark, filed November 28, 2001, is hereby vacated.

Wesley A. Van Winkle is hereby appointed as counsel of record for condemned inmate Royal Clark. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S169689**PEOPLE v. EVANS (STEVE
CARL)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, William J. Kopeny is hereby appointed to represent appellant Steve Carl Evans for the direct appeal in the above automatic appeal now pending in this court.

S207542 E054154 Fourth Appellate District, Div. 2**PEOPLE v. CHANDLER, JR.,
(BEN)**

Counsel appointment order filed

The appointment of counsel order filed on March 5, 2013, is amended in its entirety to read as follows:

Upon request of appellant for appointment of counsel, Stephen M. Hinkle is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S139789**HARRIS (MAURICE
LYDELL) ON H.C.**

Order filed

The “Application to File Supplemental Factual Allegations and Argument in Support of Claims in Amended Petition for Writ of Habeas Corpus,” filed on October 15, 2012, is granted. The Respondent may, but need not, file an informal response within 30 days of the date of this order; any reply thereto must be served and filed within 30 days thereafter.

S205999**LENART (THOMAS
HOWARD) ON H.C.**

Motion to file document under seal granted

Petitioner’s “Motion for Leave to File Under Seal,” filed on October 15, 2012, is granted in part and denied in part as follows:

The motion is granted to the extent that it seeks leave to file under seal “Petitioner’s Notice of Motion and Motion to Perpetuate Testimony Lodged Under Seal” and Attachment B, entitled “Declaration of Lissa Gardner.” As to these exhibits, the court makes the findings required by California Rules of Court, rules 8.46(e)(6) and 2.550(d)-(e).

The motion is denied to the extent that it seeks leave to file under seal “Notice of Electronic Filing,” “Declaration of Frank J. O’Connor,” and “Petitioner’s Unopposed Request to Seal Documents [L.R. 141(b)].”

Because these exhibits are contained in the same bound volume, the Clerk cannot presently file under seal that portion of tab 2) which contains “Petitioner’s Notice of Motion and Motion to Perpetuate Testimony Lodged Under Seal” and attachment B, the “Declaration of Lissa Gardner.” The Clerk is directed to return to petitioner the volume entitled “Third Petition for Writ of Habeas Corpus, Under Seal, Volume V.” Petitioner may resubmit “Petitioner’s Notice of Motion and Motion to Perpetuate Testimony Lodged Under Seal,” and Attachment B, entitled “Declaration of Lissa Gardner” under seal, and the Clerk must then file these materials under seal. Petitioner may resubmit the other exhibits for public filing.

S209099**CLARKE (MICHAEL) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.

S207686**ACCUSATION OF McCOY**

Petition denied

(accusation)

S208153

Petition denied

(accusation)

ACCUSATION OF NIEBOER**S208202**

Petition denied

(accusation)

ACCUSATION OF LYNN, JR.**S208293**

Petition denied

(accusation)

ACCUSATION OF TADROS**S208323**

Petition denied

(accusation)

ACCUSATION OF HILL**S208325**

Petition denied

(accusation)

ACCUSATION OF KEITH**S208329**

Petition denied

(accusation)

**ACCUSATION OF NESBITT,
JR.****S208346**

Petition denied

(accusation)

ACCUSATION OF GREER**S208408**

Petition denied

(accusation)

ACCUSATION OF WEBSTER**S208483**

Petition denied

(accusation)

ACCUSATION OF DRISCOLL

S207748**RUCKER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that FRED RUCKER, State Bar Number 82754, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

FRED RUCKER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S207749**ST. JOHN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DAVID ALBERT ST. JOHN, State Bar Number 48746, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DAVID ALBERT ST. JOHN must make restitution to the following payees:

- (1) Frederick Eugene Seeby and Loretta Margaret Muntz-Seeby in the amount of \$15,000 plus 10 percent interest per year from August 13, 2010;
- (2) Clifton Hawk in the amount of \$5,000 plus 10 percent interest per year from July 8, 2010; and
- (3) Alicia Dwyer in the amount of \$27,000 plus 10 percent interest per year from July 1, 2011.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

DAVID ALBERT ST. JOHN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
LOS ANGELES SESSION
APRIL 3 and 4, 2013**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, Third Floor, North Tower, Los Angeles, California, on April 3 and 4, 2013.

WEDNESDAY, APRIL 3, 2013 — 9:00 A.M.

- | | | |
|-----|---------|--|
| (1) | S174475 | Sonic-Calabasas A. Inc. v. Moreno (Frank B.) |
| (2) | S192828 | City of Los Angeles et al. v. Superior Court of Los Angeles Co. (Engineers & Architects Assn., Real Parties in Interest) |
| (3) | S191948 | John Doe v. Harris (Kamala D.) |

2:00 P.M.

- | | | |
|-----|---------|--|
| (4) | S204622 | In re I. J. et al.; Los Angeles Dept. of Children and Family Services v. J. J. |
| (5) | S073597 | People v. Lopez (Juan Manuel) [Automatic Appeal] |
| (6) | S197735 | Robey (Kewhan) v. Superior Court of Santa Barbara County
(People, Real Party in Interest) |

THURSDAY, APRIL 4, 2013 — 9:00 A.M.

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| (7) | S196830 | El-Attar (Osamah) v. Hollywood Presbyterian Medical Center |
| (8) | S198562 | Biancalana (David) v. T. D. Service Company (<i>Manella, J., assigned justice pro tempore; Baxter, J., not participating</i>) |
| (9) | S198324 | People v. Santana (Serafin) |

1:30 P.M.

- | | | |
|------|---------|--|
| (10) | S091915 | People v. Nunez (Daniel) and Satele (William Tupua) [Automatic Appeal] |
| (11) | S048543 | People v. Rountree (Charles F.) [Automatic Appeal] |

CANTIL-SAKAUYE

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

